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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

DAVID WILLIAMS,	)	
Petitioner,	)	Civil Action No. 7:06CV00191
	)	
v.	)	<u>MEMORANDUM OPINION</u>
	)	
UNITED STATES PAROLE	)	By: Hon. Jackson L. Kiser
COMMISSION, <u>et al.</u> ,	)	Senior United States District Judge
Respondent.	)	

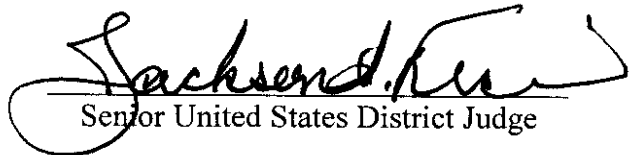
The petitioner filed this action as a petition for writ of habeas corpus, pursuant to 28 U.S.C. § 2241, on March 3, 2006 in the United States District Court for the District of Columbia. On March 29, 2006, the petition was transferred to this court. The respondents filed a motion for summary judgment on June 5, 2006. That same date, the respondents filed a motion to transfer the petition to the Eastern District of Pennsylvania, where the petitioner is now incarcerated. For the following reasons, the respondents' motion to transfer will be denied.

It is well established that jurisdiction is determined at the time a petition is filed. See United States v. Edwards, No. 93-7172, 1994 U.S. App. LEXIS 16271, at \*2 (4<sup>th</sup> Cir. June 29, 1994); Francis v. Rison, 894 F.2d 353, 354 (9<sup>th</sup> Cir. 1990); Barden v. Keohane, 921 F.2d 476, 477 n.1 (3d Cir. 1990); Ross v. Mebane, 536 F.2d 1199, 1201 (7<sup>th</sup> Cir. 1976); Bishop v. Med. Superintendent of the Ionia State Hosp., 377 F.2d 467, 468 (6<sup>th</sup> Cir. 1967). At the time the instant petition was filed, the petitioner was incarcerated at the Central Virginia Regional Jail, which is located in the Western District of Virginia. Although the petitioner has since been transferred to the Federal Detention Center in Philadelphia, Pennsylvania, this court retains jurisdiction over the petition. See Edwards, 1995 U.S. App. LEXIS 16271 at \*2; Evans v. Romine, 182 F.3d 921 n.1 (7<sup>th</sup> Cir. 1999); Chatman-Bey v. Thornburgh, 864 F.2d 804, 806 n.1 (D.C. Cir. 1988); Santillanes v. United States

Parole Com., 754 F.2d 887, 888 (10th Cir. 1985). Accordingly, I will deny the respondents' motion to transfer the petition.

The Clerk is directed to send certified copies of this memorandum opinion and accompanying order to the petitioner and counsel of record for the respondents.

ENTER: This 16<sup>th</sup> day of June, 2006.

  
Senior United States District Judge